

**MEMO ENDORSED**

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September 11, 2007

The Honorable P. Kevin Castel  
 United States District Judge  
 United States District Court  
 Southern District of New York  
 United States Courthouse  
 500 Pearl Street  
 New York, New York 10007

Re: United States v. Frederick Wallace  
 07 Cr. 0546 (PKC)

Dear Judge Castel:

I write to respectfully request an adjournment of tomorrow's status conference in the above referenced matter.

As a result of poor calendaring on my part, I negligently adjourned the above matter to September 12, 2007, my CJA duty day in the Eastern District of New York. I have a 9:30 appearance tomorrow in Brooklyn which conflicts with the case before your honor. My client, Mr. Wallace, is currently serving a 125 month sentence in an unrelated matter and will not be prejudiced by the adjournment.

I have consulted with AUSA Antonia Apps and she consents to this request. The parties have reached a resolution of this case and expect a plea to take place at the next appearance. Ms. Apps and I have agreed to the date of September 18, 2007 at 10:00 a.m. for a plea in this matter if it is agreeable to the court.

I apologize for any inconvenience my request has caused the Court.

If the Court has any questions, I may be reached at (212) 966-3970.

Respectfully submitted,

Donald duBoulay

Cc: Antonia Apps, AUSA

*Adjourned from September 12 to September 18 at 10 am. Need for continue outweighs best interests of defendant and public in a speedy trial. Reasons are that counsel has a scheduling conflict and disposition needs to be finalized. Time excluded through September 18.  
 SO ORDERED.*

*USDS  
 9-11-07*